



## **Minutes of the Regular Meeting of the Ankeny City Council**

Monday, January 4, 2010 - 5:30 P.M.

Ankeny City Hall – City Council Chambers

410 W. First Street, Ankeny, Iowa

Steven D. Van Oort, Mayor

Dave Kissinger, Mayor Pro tem

Council Members: Craig Block, Dave Kissinger, Wade Steenhoek, Gary L. Welch

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Mayor Van Oort called the meeting to order at 5:30 p.m. All council members were present. City Manager, Carl Metzger, and City Attorney, Amy Beattie, were present.

Mayor Van Oort led the Pledge of Allegiance.

**CEREMONY:** City Clerk, Pam DeMouth, administered the Oath of Office to Mayor Steve Van Oort who then administered oaths of office to both Dave Kissinger, first as city council member and then as Mayor Pro tem and to new council member, Wade Steenhoek.

**A. PUBLIC FORUM:** none

### **B. APPROVAL OF AGENDA:**

**ACTION #1.** Block made the **MOTION** to approve and accept the January 4, 2010 agenda, with amendments: to add Consent Agenda Item CA-28 and revision to Action Item #9 – Legislative Business – subcommittee appointments, seconded by Strait.

#### **ROLL CALL**

2010-0104.01	YES	5	NO	0
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**C. PUBLIC HEARING(S):** none

### **D. REPORTS OF ADVISORY BOARDS AND COMMISSION:**

Plan & Zoning Commission Representative, Steve Odson stated there would be no Plan & Zoning Commission meeting tomorrow evening, January 5, 2010.

Mayor Youth Council Representative, Conner Schaeffer presented a brief overview of the activities of the Mayor's Youth Council.

**E. REPORT OF LOBBYIST:** none

### **F. APPROVAL OF CONSENT AGENDA:**

#### **• Minutes**

CA-1 Approval of official council actions of the regular meeting of December 21, 2009, as published, subject to correction, as recommended by the City Clerk.

- CA-2            Receive and file minutes of the Plan & Zoning Commission meeting of December 22, 2009, subject to correction, as recommended by the recording secretary.

• **Licenses and Permits:**

- CA-3            Consider motion to approve Class C Liquor License w/Sunday Sales for Tokyo Steakhouse, Inc., d/b/a Tokyo Steakhouse, 113 SE Delaware Ave., Suite #103. (new)
- CA-4            Consider motion to approve a Class C Beer Permit w/Sunday Sales & Carryout Wine for Hy-Vee, Inc., d/b/a Hy-Vee Gas, 414 North Ankeny Blvd. (renewal)

• **Finance/Budget**

- CA-5            Consider motion to approve Payment #10 in the amount of \$147,250.00 to CB&I Inc., for construction services on the 2.5 MG Elevated Water Storage Tank Project.
- CA-6            Consider motion to approve Amendment (Change Order) #1 increasing the contract amount by \$39,698.00 with Civil Design Advantage for engineering services on the SE Oralabor Road Reconstruction Project.
- CA-7            Consider motion to approve final Retainage Payment in the amount of \$31,482.18 to Dean Snyder Construction for construction services on the Ankeny Fire Station Headquarters Project.
- CA-8            Consider motion to approve Payment #13 in the amount of \$7,059.78 to HPC, LLC for construction services on the Ankeny Fire Station No. 2 Project.
- CA-9            Consider motion to approve Payment #5 in the amount of \$42,211.68 to McAninch Corporation for construction services on the SW Magazine Road and SW Cherry Street – Phase 1 Construction Project.
- CA-10           Consider motion to approve Payment #13 in the amount of \$15,099.00 to Nilles Associates, Inc., for engineering services on the Saylor Creek Tributary Phase 2 Improvements Project.
- CA-11           Consider motion to approve Amendment to Agreement decreasing the contract amount by \$227,935.00 with Nilles Associates, Inc., for engineering services on the Saylor Creek Tributary and Town Center Park Project.
- CA-12           Consider motion to approve Payment #20 (final) in the amount of \$8,765.00 to Nilles Associates, Inc., for engineering services on the Saylor Creek Tributary and Town Center Park Project.
- CA-13           Consider motion to approve Payment #3 in the amount of \$14,745.00 to Nilles Associates, Inc., for engineering services on The District - Prairie Trail Project.

- CA-14** Consider motion to approve Payment #9 in the amount of \$10,000.00 to RDG-SWB for consulting services on the 2003 Comprehensive Plan Update.
- CA-15** Consider motion to approve Payment #12 in the amount of \$63,963.39 to Snyder & Associates, Inc., for engineering services on the East First Street Interchange Reconstruction Project.
- CA-16** Consider motion to approve Payment #8 in the amount of \$6,206.00 to Snyder & Associates, Inc., for engineering services on the I-35/East First Street Interchange 2009 Signal Improvements Project.
- CA-17** Consider motion to approve Payment #5 in the amount of \$7,259.30 to Snyder & Associates, Inc., for engineering services on the I-35 Widening Project – East First Street Interchange to NE 36<sup>th</sup> Street Interchange.
- CA-18** Consider motion to approve Payment #4 in the amount of \$15,666.50 to Snyder & Associates, Inc., for engineering services on the Corporate Woods Drive Railroad Overpass Project.
- CA-19** Consider motion to approve Payment #13 in the amount of \$22,000.50 to Snyder & Associates, Inc., for engineering services on the SW Magazine Road and SW Cherry Street Construction Project.
- CA-20** Consider motion to approve Change Order No. 6 in the amount of \$19,917.20 to Sternquist Construction, Inc., for construction services on the SE Oralabor Road Reconstruction Project.
- CA-21** Consider motion to approve Payment # 40 in the amount of \$394.85 to Wilson Estes Police Architects for architectural and engineering services on the Police Station Headquarters Building Project.
- CA-22** Consider motion to approve the January 4, 2010 Accounts Payable from the following funds: General \$74,602.24, Hotel/Motel Tax \$126,204.26, Road use Tax \$14,622.70, Economic Development \$1,004.35, Solid Waste \$32,087.05, Water \$85,595.29, Sewer \$5,715.97, Stormwater \$4,224.84, Golf Course \$9,191.62, Enterprise Project \$405,359.80, Revolving \$34,869.19, Risk Mgmt \$3,126.86, Health Insurance \$17.75, Capital Projects \$315,737.37, Payroll \$770.104.77, Less Srvc Trnsfrs (\$152.15), Less Agenda Pymts Approved S (Finance Committee: G. Welch,Chp., W. Steenhoek, D. Kissinger)

• **Personnel Items:** none

• **Community Development Items:**

- CA-23** Consider motion to adopt RESOLUTION 2010-001 accepting final plat and final PUD site plan for Creekside Brownstones Plat 4.

• **Engineering Items:** none

• **Capital Improvement Projects:** none

- **Administrative Items:**

- CA-24      Consider motion to adopt Resolution 2010-002 accepting permanent wetland easements from DRA Properties L.C. and establishing a wetland easement on city-owned property in Prairie Trail.
- CA-25      Consider motion to adopt Resolution 2010-003 authorizing the execution of an agreement between the City of Ankeny, Iowa Police Department and Iowa State University regarding the use of the Lied Center located in Ames, Iowa.
- CA-26      Consider motion to adopt Resolution 2010-004 appointing Mona Bond as lobbyist for the City of Ankeny, Iowa, and authorizing the Mayor to execute a Letter Agreement for lobbying services.
- CA-27      Consider motion to receive and file the FY09 – Bravo Greater Des Moines Audited Financial Statements.

- **Final Agenda Additions:**

- CA-28      Consider motion to approve a Class C Liquor License w/Sunday Sales and Outdoor Service for Dog House Bar & Lounge, Inc., d/b/a Ric's Doghouse Lounge, 1165 ½ SW Ordinance. (renewal)

**ACTION #2.** Welch made the MOTION to approve the recommendations for Consent Agenda Items CA-1 through CA-28, seconded by Block.

**ROLL CALL**

2010-0104.02      YES    5      NO    0

**G. SUPPLEMENTAL & REMOVED CONSENT AGENDA ITEMS:**

**ACTION #3.** No action taken.

**H. RECESS:** none

**I. LEGISLATIVE BUSINESS:**

- Approval of Ordinances:

2nd Reading

**Ordinance 1652:** An ordinance amending the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain property owned by DRA Properties, LC (Outlot Y – Otter Creek Redevelopment Plat 1 - R-1 to C-2 w/restrictions)

**ACTION #4.** Strait made the MOTION to accept second consideration of ORDINANCE 1652, seconded by Kissinger.

**ROLL CALL**

2010-0104.04      YES    5      NO    0

**ACTION #5.** Kissinger made the MOTION to accept staff recommendation to suspend the rule that ordinances must be considered on three different days and accept third consideration of ORDINANCE 1652, sending it on its final passage and publication as required by law, seconded by Welch.

**ROLL CALL**

**2010-0104.05                      YES    5            NO    0**

**Ordinance 1653:** An ordinance amending the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain property owned by DRA Properties, LC (Outlot Z – Otter Creek Redevelopment Plat 1- R-1 to C-2 w/restrictions)

**ACTION #6.** Strait made the MOTION to accept second consideration of ORDINANCE 1653, seconded by Steenhoek.

**ROLL CALL**

**2010-0104.06                      YES    5            NO    0**

**ACTION #7.** Block made the MOTION to accept staff recommendation to suspend the rule that ordinances must be considered on three different days and accept third consideration of ORDINANCE 1653, sending it on its final passage and publication as required by law, seconded by Welch.

**ROLL CALL**

**2010-0104.07                      YES    5            NO    0**

**Ordinance 1654:** An ordinance amending the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain property owned by Kimberley Properties, Inc. (R-1 to R-3 w/restrictions)

**ACTION #8.** Kissinger made the MOTION to accept second consideration of ORDINANCE 1654, seconded by Strait.

**ROLL CALL**

**2010-0104.08                      YES    5            NO    0**

**Boards/Commissions Appointments**

- Mayor/City Council/Staff Subcommittee Appointments

Ankeny Area Chamber of Commerce

Steve Van Oort – Mayor and Curtis Brown, Asst Director - Economic Development

Ankeny Economic Development Corporation

Steve Van Oort – Mayor and Curtis Brown, Asst Director - Economic Development

Ankeny Sports Complex Foundation

Tom Strait and Dave Kissinger

Bravo

Steve Van Oort

Central Iowa Regional Drinking Water Commission

Tom Strait and Gary Welch (alt)

Jolee Belzung, Ex officio and Jim McKenna, Ex officio (alt)

City/School Advisory Committee

Steve Van Oort and Dave Kissinger

Community Education Advisory Committee

Gary Welch

Des Moines Area Regional Transit Authority (DART)

Steve Van Oort

Greater Des Moines Convention & Visitors Bureau

Steve Van Oort and Wade Steenhoek (Alt)

Metro Advisory Council

Steve Van Oort, Craig Block and Dave Kissinger (Alt)

Uptown Ankeny Association

Craig Block and John Peterson, Director – Planning & Building (Alt)

**ACTION #9. Welch made the MOTION to accept Mayor's appointments to the Mayor/City Council/Staff Subcommittees, seconded by Kissinger.**

**ROLL CALL**

**2010-0104.09                      YES    5                      NO    0**

**J. OLD BUSINESS:** none

**K. NEW BUSINESS:**

- Proposed Ankeny Dog Park Season Pass and Daily Fees

Councilors Steenhoek and Block inquired as to who would be paying the dog park fees and where does the fee fall in line with other dog park communities.

Todd Redenius, Parks and Recreation Director, stated the fee falls right in line with the average fee charged by other dog parks in the metro area. He stated staff looked at three or four dog parks that are most prevalent in Iowa and took the composite average which was a \$25/\$35 fee.

**ACTION #10. Strait made the MOTION to accept Park Board recommendation and approve the season pass and daily fees for the Ankeny Dog Park, seconded by Kissinger.**

**ROLL CALL**

**2010-0104.10                      YES    5                      NO    0**

- Proposed \$2,000,000 Sewer Revenue Capital Loan Notes, Series 2010B  
Initiate Proceedings

**ACTION #11.** Welch made the MOTION to adopt RESOLUTION 2010-005, fixing date for a meeting on the authorization of a loan and disbursement agreement and the issuance of \$2,000,000 Sewer Revenue Capital Loan Notes of Ankeny, Iowa, and providing for publication of notice thereof, seconded by Block. (date of hrg: 1/18/10 @ 5:30 P.M.)

**ROLL CALL**

**2010-0104.11                      YES    5            NO    0**

- Proposed Watershed Improvement Review Board (WIRB) Grant Application  
SE Tributary to Fourmile Creek Watershed

**ACTION #12.** Strait made the MOTION to authorize the submittal of a Watershed Improvement Review Board grant application for the water quality improvements along the SE Tributary to Fourmile Creek and commit \$222,740.00 in matching funds, seconded by Kissinger.

**ROLL CALL**

**2010-0104.12                      YES    5            NO    0**

**L. ADMINISTRATIVE BUSINESS:**

- REPORT OF THE CITY STAFF: none
- REPORT OF THE GOVERNING BODY:

Council member Welch stated he would be absent from the January 18<sup>th</sup> city council meeting.

Council member Steenhoek thanked all council members for welcoming him to the council and thanked the public for their support. He stated he wanted to especially thank the city staff for the great orientation with all department heads which has given him a better understanding of the council process.

Council member Kissinger stated the past four years has been a great experience and he is looking forward to four more exciting years being able to serve this community. He further stated the city should be very appreciative of the job the city crew has done with snow removal in this community.

***Future Council Agenda Items:***

- Council Action Planning Session - FY2011 Budget Workshop – 01/11/10 @ 5:00 p.m.
- Council Team Building Workshop - Pinnacle Club – 1/12/10 @ 8:00 a.m.
- Public Hearing - \$2,000,000 Sewer Revenue Capital Loan Notes, Series 2010B - 01/18/10 @ 5:30 p.m.
- Council Action Planning Session - FY2011 Budget Workshop – 01/25/10 @ 5:00 p.m.
- Public Information Meeting – CIP – 1/28/10 @ 6:30 p.m. @ City Hall Council Chambers

**M. ADJOURNMENT**

**ACTION #13.** There being no further business, Strait made the MOTION to adjourn,  
seconded by Block. (6:00 p.m.)

**ROLL CALL**

<b>2010-0104.13</b>	<b>YES</b>	<b>5</b>	<b>NO</b>	<b>0</b>
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Pamela DeMouth, City Clerk

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Steven D. Van Oort, Mayor

The context of the above meeting will be submitted for council action at their next regular meeting on January 18, 2010.

Published in the Des Moines Register on the 15<sup>th</sup> day of January, 2010.